

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

CHONG HAO SU,

Plaintiff

v.

C-1-07-902

CINCINNATI CITY PROSECUTOR,

Defendant

**ORDER**

This matter is before the Court upon the Report and Recommendation of the United States Magistrate Judge (doc. no. 24) to which neither party has objected. On July 14, 2008, the Court granted in part plaintiff's Motions for Extension of Time (doc. nos. 25, 27 and 28) only to permit plaintiff to file objections to the Report and Recommendation by July 31, 2008. As of the date of this Order, no objections have been filed.

Upon a ***de novo*** review of the record, the Court finds that the Judge has accurately set forth the applicable law and has properly applied it to the particular facts of this case. Accordingly, in the absence of any objection by plaintiff, this Court accepts the Report as uncontroverted.

The Report and Recommendation of the United States Magistrate Judge (doc. no. 24) is hereby **ADOPTED AND INCORPORATED HEREIN BY REFERENCE**. Plaintiff's Complaint is dismissed for lack of timely service, or in the alternative, as frivolous because defendant is immune from suit and/or because plaintiff's claims are subject to dismissal under the **Younger** abstention doctrine. Plaintiff was put on notice that the Court proposed to dismiss his Complaint and plaintiff failed to respond to the Court's Order and has failed to effect proper service of process.

In light of the foregoing, this case is **DISMISSED AND TERMINATED** on the docket of this Court.

**IT IS SO ORDERED.**

s/Herman J. Weber  
Herman J. Weber, Senior Judge  
United States District Court